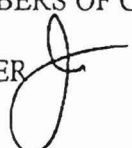


# City of Alexandria, Virginia

## MEMORANDUM

DATE: SEPTEMBER 14, 2007

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: CITY SERVICES AND IMMIGRATION

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Over the last few weeks, the Council has received inquiries concerning the City's position on services for undocumented immigrants who reside in Alexandria, as well as public safety agency response to various immigration issues. As you know, the City of Alexandria is a culturally diverse city, and one of the articulated goals in the City's Strategic Plan is to maintain this diversity. The City of Alexandria does not have specific laws or policies in place to limit access to services to any resident. **We do, however, adhere to all federal and state mandates for programs where verification of eligibility is a requirement.**

Absent a federal and state mandate, our programs generally require proof of residency in the form of a verifiable Alexandria mailing address through utility or rent receipts, e.g. for issuance of Library and Recreation Center facility use cards. The City of Alexandria strives to provide programs and services that enhance the quality of life for all Alexandria residents, with a focus on inclusiveness. We do not withhold emergency, protective or public health services to any city resident.

With respect to concerns about undocumented persons who commit criminal offenses, the Alexandria Police Department is committed to preserving a high quality of life and keeping our neighborhoods safe. In 2006, the City's crime rate was the lowest in 40 years and this pattern continues in 2007. This low crime rate was not an easy accomplishment and was largely due to effective partnerships among City agencies and community groups that reflect the City's diversity. Our property values remain high and neighborhoods tend to be well maintained.

The Alexandria Police Department does not attempt to enforce federal or state administrative or civil procedures not required of local governments. The Department has solid partnerships with federal and state agencies and cooperates fully with them on criminal matters. Our police officers do not normally ask a person's immigration status, unless they are arrested for a violent offense. In those circumstances, the Police Department has specific reporting procedures in place for the appropriate federal regulatory agency. The Department does not maintain any statistics on the processing of undocumented persons, as these individuals are adjudicated in federal courts. Immigration policy is not a local government responsibility.

City agencies do not enforce laws against employers who employ undocumented immigrants, as this is not a local government function. The United States Immigration and Customs Enforcement Agency (ICE) is the cognizant agency. Mayor Euille has asked the City's Human Rights Commission to prepare a resolution for City Council's consideration on this matter.

The Sheriff has indicated immigration issues are addressed in three ways for persons who are in the Alexandria Detention Center or in the custody of the Sheriff: (1) those individuals who have had a detainer obtained for them and entered into the federal crime reporting system are referred to ICE; (2) those who are arrested and it is determined that they are undocumented are also referred to ICE; and (3) no efforts are made to determine status during routine contacts.

The Court Services Unit is considered a reporting agency and is required to contact ICE if they discover that they are serving an undocumented youth.

City staff is acutely aware of the sensitive nature surrounding the immigration issue in the United States, and particularly in the Northern Virginia area. Attached are several charts, which outline how specific agencies address the issue.

cc: CMO Staff and Department Heads

### 1. Services that the City Must Provide Regardless of Immigration Status

ACPS	All
DHS	Adult Protective Services Child Protective Services Companion Services (as part of APS cases) Foster Care and Adoption Any other service if part of APS or CPS case
Fire	All - Public safety & law enforcement
Health Department	All
Juvenile Court Service Unit	All - Court ordered
MH/MR/SA	All
Police	All - Public safety & law enforcement
Sheriff's Office	All - Public safety & law enforcement

### 2. Services for which the City Must Verify Legal Presence\*

DHS	Auxiliary Grants Child Day Care Assistance Food Stamps General Relief Medicaid Refugee Assistance State-Local Hospitalization Temporary Assistance to Needy Families VIEW Welfare Reform Services JobLink Employment Services
Housing	Homeownership Loans Only

### 3. Services provided by the City to all Alexandria Residents- verification of legal presence may not be required

DHS	Emergency Services (rental assistance, energy assistance, fuel assistance, shelter assistance, and burial assistance, emergency Medicaid) JobLink Resource Center
Housing	All except Homeownership Loans
Human Rights	All -(created by local statute and enforces Federal anti-discrimination law)
Office on Women	All

\* According to the Virginia Department of Motor Vehicles (DMV), legal presence means that a person is either a U.S. citizen or is legally authorized to be in the United States